

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ROBERT JOHN PRESTON, ) CASE NO. C08-0716-JCC  
Petitioner, ) (CR00-034-JCC)  
v. )  
UNITED STATES OF AMERICA, ) ORDER DENYING § 2255 MOTION  
Respondent. )

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The Court, having reviewed petitioner's § 2255 motion (Dkt. No. 1), the government's response, the Report and Recommendation of the Honorable Mary Alice Theiler, United States Magistrate Judge, any objections thereto, and the remaining record, does hereby ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) Petitioner's § 2255 motion (Dkt. No. 1) is DENIED and this action is DISMISSED with prejudice; and,
- (3) The Clerk is directed to send a copy of this Order to petitioner, to counsel for respondent, and to Judge Theiler.

DATED this 23rd day of September, 2008.

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John C. Coughenour  
UNITED STATES DISTRICT JUDGE